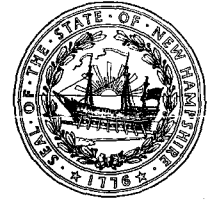




The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

Mr. Peter Spanos  
Shalimar Resort  
PO Box 780  
Tilton, New Hampshire 03289

**LETTER OF DEFICIENCY**  
WMB PBF 05-17  
October 26, 2005

Dear Mr. Spanos:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On October 26, 2005, DES inspected the following public bathing facilities at the Shalimar Resort in Winnisquam, NH: the indoor pool ("Indoor Pool") and spa ("Spa").

DES recommended that the pool and spa be closed immediately.  
During this inspection, the following deficiencies were noted:

1. Env-Ws 1103.15(c) requires a bromine concentration between 2.0 mg/L and 4.0 mg/L in public pool water. The bromine concentration of the Pool water was approximately 19 mg/L on October 26, 2005.
2. Env-Ws 1103.16(e) requires a bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L bromine. The bromine concentration of the Spa water was approximately 53 mg/L on October 26, 2005.
3. Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Spa water was 6.6 on October 26, 2005.

DES found similar deficiencies with respect to water quality during last years annual inspection conducted on December 13<sup>th</sup>, 2004. Those findings were outlined in a Letter of Deficiency, WMB PBF 04-32. DES did not receive a letter of response from you as requested.

DES believes the cited deficiencies can be corrected within 30 calendar days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken and your assessment of why this is a recurring problem. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).

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DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter.

Sincerely,

A stylized, handwritten signature in black ink, appearing to read 'Jody Connor'.

Jody Connor  
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7552

Enclosures

cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES  
Tim Wilson, Public Bathing Facility Coordinator, DES  
Joseph Plessner, Health Officer, Town of Tilton